

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 040/00056/2021

Date of Order: This, the 23rd Day of February, 2021

THE HON'BLE SMT. MANJULA DAS, MEMBER (J)

THE HON'BLE MR. NEKKHOMANG NEIHSIAL, MEMBER (A)



Sri Hareswar Boro
 Age 58 years
 S/o Late Puhan Boro
 R/o Village – Batakuchi
 P.O. – Digaru, P.S. – Sonapur
 District – Kamrup (Metro), Assam
 Pin – 782401.

... Applicant

- Versus -

1. The Union of India
 Represented by the Secretary
 To the Government of India
 Ministry of Information and Broadcasting
 A-Wing, Shastri Bhawan'
 New Delhi – 110001.
2. Prasar Bharati
 Represented by its Chief Executive
 Officer, Mandi House
 Copernicus Marg, New Delhi – 110001.
3. The Superintending Engineer
 Civil Construction Wing
 All India Radio
 Doordarshan Complex, Zoo Road
 Guwahati – 781024.

O.A. No. 040/56/2021

4. The Executive Engineer (Civil)
Civil Construction Wing
All India Radio, Guwahati
Chandmari, Guwahati – 781003.
5. The Secretary
To the Government of India
Ministry of Personnel
Public Grievances and Pension
Lok Nayak Bhawan, New Delhi – 110001.
6. The Secretary
To the Government of India
Ministry of Finance
Jivan Deep Building, Sansad Marg
New Delhi – 110001.
7. The Pay and Accounts Officer
Central Pension Accounting Office
Ministry of Finance
Government of India
Tarikot II Complex, Bhikaji Cama Place
New Delhi – 110066.



...Respondents.

For the Applicant : Sri I Hassan & Sri S. Dihingia

For the Respondents : Sri S.K. Ghosh, Addl. CGSC

ORDER (ORAL)

MANJULA DAS, MEMBER (J):-



This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking for the following reliefs:-

- “8.1 To set aside and quash the impugned order dated 19.08.2020 vide CWG/PF-21(3)/87-S/2020-21/532 and 09.11.2020 vide CWG/PF-21(3)/87-S/2020-21/872 both issued by the Respondent No. 4 in so far it directs the applicant to file leave application during lockdown period 2020 in connection with finalization of the regular pension of the applicant.
- 8.2 To direct the Respondent authorities to finalize the regular pension of the applicant and impose 15% interest upon the pensionary benefit due to the intentional delay caused by the Respondents and payment of same to the applicant.
- 8.3 Cost of the application.
- 8.4 Any other relief/relieves to which the applicant is entitled to under the facts and circumstances of the case and as may be deemed fit and proper by this Hon'ble Tribunal upon consideration of the matter.”

2. Heard Sri I Hassan, learned counsel for the applicant and Sri S.K. Ghosh, Addl. CGSC for the respondents.

3. Facts of the present case are that – the applicant joined in service on 23.01.1987 as Security Guard (Chowkidar). He had rendered his service under the respondent department i.e. AIR, Guwahati for more than 33 years. He applied for voluntary retirement from service on 02.04.2020. Accordingly, vide letter dated 26.06.2020, the respondent No. 4 communicated the applicant about the accepting of his request for voluntary retirement from service. Further intimated that he will be relieved from service w.e.f. 31.07.2020 under the Pension Rules. He was further directed to furnish the duly filled up Form No. 1, 3, 5, 7, 8 etc for finalization of the pension, which he immediately submitted before the respondent No. 4. However, pensions are not finalized by the respondent authorities for the reasons best known to them. Due to callousness on the part of the respondent authorities more particularly under



whom the applicant served for more than 33 years, he has to suffer a huge pecuniary loss for which he is facing a great financial hardship for maintaining of his livelihood as well as family affairs because of the fact that he was Grade-IV employee.



4. It is noted that applicant who took voluntary retirement from service w.e.f. 31.07.2020 has not granted any regular pension till date. He was Grade IV employee/MTS. After retirement, as the applicant did not get any pension/pensionary benefits etc, he submitted a representation to the respondent No. 3 on 14.08.2020 for releasing of his retirement benefits. Thereafter, he was paid an amount of Rs. 6,56,997/- towards gratuity in the month of October, 2020. However, his pension has not been finalised till date.

5. In view of the above, since the applicant took VRS w.e.f. 31.07.2020 and he is not getting any pension as well as other pensionary benefits except gratuity, hence, we deem it fit and proper to direct the respondent authority to dispose of the pending

representation dated 14.08.2020 and settle the issue by finalizing the pension and disburse all the admissible dues of pensionary benefits as per law, within a period of 15 (fifteen) days from the date of receipt of a copy of this order. Ordered accordingly.

6. With the above observations and directions, O.A. stands disposed of in presence of Sri S.K. Ghosh, learned Addl. CGSC for the respondents, at the admission stage itself.

7. No order as to costs.



(NEKKHOMANG NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

PB

O.A. No. 040/56/2021